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6 Attorney for JOHN DINGMORE

7
8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.
13 JOHN DINGMORE,
14 Defendant.

Case Nos. 3:08-cr-0028-MMD-WGC
2:18-cr-0111-JCM-GWF

**UNOPPOSED MOTION TO
MODIFY CONDITIONS OF
RELEASE**

15 The Defendant John Dingmore, through his attorney, Assistant Federal Defender Sylvia
16 A. Irvin, Assistant Federal Public Defender, files this Unopposed Motion to Modify Conditions
17 of Release to include an alternative release condition. In support of this Motion, undersigned
18 counsel states:

19 1. A Petition was filed in the above-referenced cases alleging that Mr. Dingmore
20 violated his conditions of supervised release by failing to timely return to the RRC after being
21 granted a movement pass on August 21, 2018. The parties agree that Mr. Dingmore was at
22 University Medical Center (UMC) on August 21, 2018, however it is presently unclear how
23 long Mr. Dingmore continued as a patient at UMC and for what medical purposes.

24 2. On September 5, 2018, Mr. Dingmore appeared before the Magistrate Court on
25 the Petitions. On the issue of release, counsel for the Government and defense counsel asked
26 the Court to allow Mr. Dingmore to be held in custody overnight and then released on

1 September 6, 2018. Counsel expressed concerned because Mr. Dingmore is homeless and is
2 suffering from medical and mental health issues. The Court agreed and granted Mr. Dingmore's
3 release on September 6, 2018, so that he can seek readmission to UMC. Case No. 3:08-cr-0028-
4 MMD, ECF No. 59 and 2:18-cr-0111-JCM-GWF, ECF No. 40.

5 3. Following the hearing, defense counsel discussed Mr. Dingmore's release
6 conditions with the United States Probation Office. There is a concern that Mr. Dingmore will
7 not have a place to stay if he isn't readmitted to UMC on September 6, 2018. Because of this
8 concern, counsel asks this Court to include an alternative release condition.

9 4. Specifically, should Mr. Dingmore not be readmitted as an inpatient at UMC or
10 Southern Nevada Adult Mental Health (SNAMH), the parties jointly request a modification of
11 his release conditions requiring him to reside at the RRC pending his revocation proceedings.
12 U.S. Probation has confirmed that a bed is available at the RRC for Mr. Dingmore in the event
13 he is not readmitted to UMC on September 6, 2018.

14 5. Defense counsel conferred with AUSA Dan Cowhig and he agrees to the relief
15 sought in this motion.

16 6. Defense counsel conferred with U.S. Supervising Probation Officer Todd
17 Fredlund. He proposed this alternative solution and agrees with the relief sought in this Motion.

18 7. Counsel attach a proposed order for the Court's review.

19 DATED this 6th day of September, 2018.

20 RENE L. VALLADARES
21 Federal Public Defender

22 By: /s/ Sylvia A. Irvin
23 SYLVIA A. IRVIN
24 Assistant Federal Public Defender
25 Counsel for Mr. Dingmore
26

CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that she is an employee of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on September 6, 2018, she served an electronic copy of the above and foregoing **Unopposed Motion to Modify Release Conditions** by electronic service (ECF) to the person named below:

DAYLE ELIESON
United States Attorney
DAN COWHIG
Assistant United States Attorney
501 Las Vegas Blvd. South
Suite 1100
Las Vegas, NV 89101

Felicia Darensbourg
Legal Assistant

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 JOHN DINGMORE,

7 Defendant.

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2:18-cr-0111-JCM-GWF

**ORDER ON UNOPPOSED
MOTION TO MODIFY
CONDITIONS OF RELEASE**

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9 This Court has considered the Unopposed Motion to Modify Conditions of Release and
10 grants the parties' joint request to modify the release conditions.

11 **IT IS ORDERED** that should the Defendant John Dingmore not be readmitted as an
12 inpatient at University Medical Center (UMC) or Southern Nevada Adult Mental Health
13 (SNAMH) on September 6, 2018, that Mr. Dingmore shall be ordered to reside at the Las Vegas
14 RRC pending his final revocation hearing.

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16 DATED this 6th day of September, 2018.

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18 
19 UNITED STATES MAGISTRATE JUDGE